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5 Attorneys for Defendant Caroline Prosser

6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ALASKA

8 ALLSTATE INSURANCE COMPANY, )

9 Plaintiff, )

10 vs. )

11 CAROLINE PROSSER, )

12 Defendant. )

) Case No. A05-060 CI (CV)

13 MOTION FOR EXTENSION OF TIME TO FILE  
14 PLEADINGS AND SUBMIT EXHIBITS

15 COMES NOW the defendant, Caroline Prosser, by and through her attorneys, Choquette  
16 & Farleigh, LLC, and moves this Court to accept the late filed defendant's Final Witness List and  
17 to permit both parties additional time to mark and file an Exhibit List and Exhibits as well as the  
18 Joint Statement of Issues and Joint Statement of Uncontested Facts. This motion has been  
19 discussed with counsel for plaintiff who indicated plaintiff did not oppose this. The delay in filings  
20 will not pose any prejudice to either party and, as to depositions and exhibits, this motion is made  
21 to facilitate unexpected circumstances.

22 Defendant filed her witness list last Friday, four days late. Defendant previously timely  
23 filed witness lists and all persons on the final witness list were on the previously filed and served  
24 witness list.  
25

1 The parties have exchanged and still jointly working on drafts of the Statement of  
2 Uncontested Facts and Statement of Contested Issues. Those will be filed no later than January 31,  
3 2008.

4 The documents that will be exhibits have been produced between the parties. The parties  
5 are currently calling to schedule a date to mark, inspect and review the exhibits with the Clerk. It  
6 is anticipated that can be done as soon as it fits the Clerk's schedule.

7 Defendant was advised by health care professionals who had previously indicated an ability  
8 and willingness to testify at trial that they can not appear at the time the trial is not scheduled for.  
9 The parties have agreed to take preservation video depositions which are now being scheduled  
10 during the first part of February because both defendant and counsel for defendant will be absent  
11 from the state until January 28, 2008.

12 WHEREFORE, the parties respectfully request this Court to grant the requested extension  
13 and accept defendant's late filed Final Witness List; permit the parties' Joint Statement of Issues  
14 and Joint Statement of Uncontested Facts be filed by January 31, 2008; permitting to January 15,  
15 2008 to mark, inspect and review with the clerk the exhibits with objections due by January 31,  
16 2008 and permit the taking of the preservation depositions for presentation at trial.

17 DATED at Anchorage, Alaska, January 7, 2008.

18 CHOQUETTE & FARLEIGH, LLC  
19 Attorneys for Defendant Caroline Prosser

20 By /s/ William L. Choquette  
21 William L. Choquette  
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1 This is to certify that a copy of the foregoing  
2 document was electronically served on  
3 January 7, 2008 on Barry J. Kell.

4 \s\ William L. Choquette  
5 William L. Choquette  
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